

# Firm wants RDP houses demolished

## Court told of dangers to people living near railway line



**POTENTIALLY POISONOUS PROXIMITY:** ArcelorMittal in Vanderbijlpark has taken the Gauteng government to court in an attempt to force it to demolish RDP houses built near the company's railway line in Tshepiso Township Extension 4, near Boipatong, in the Vaal.

PICTURE: ITUMELENG ENGLISH

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**T**HE GAUTENG Department of Local Government and Housing faces a multimillion-rand lawsuit if it fails to demolish 28 new RDP houses allegedly built on ArcelorMittal SA land.

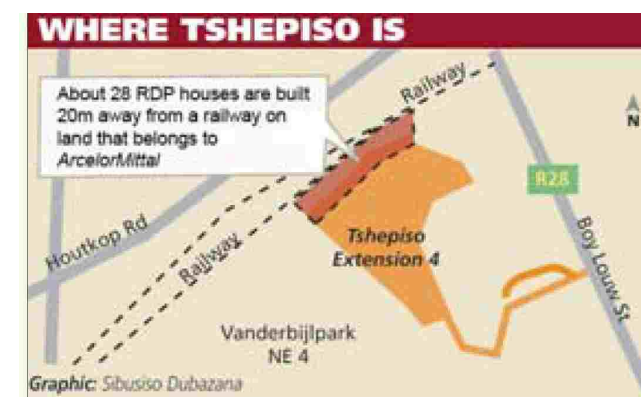
The iron and steel giant company has filed papers in the Johannesburg High Court, asking it to order the housing department and Emfuleni Local Municipality, which constructed the houses, to demolish them immediately.

The houses are built along the railway line that Spoornet uses to transport raw material, such as iron ore, from mines in the Northern Cape to ArcelorMittal.

The company warned the government that if a train derailed in the area, it would have catastrophic consequences for the people living there.

ArcelorMittal is also asking the court to order the department to build a 2.4m-high wall to prevent people stealing steel clips off the railway line.

"The risks associated with possible vandalism and theft of the



steel clips holding the railway tracks in place has to be assessed.

It stood to reason that a derailling of railway trucks would have catastrophic consequences," said Mlawuli Manjingolo, ArcelorMittal's company secretary, in his court application.

The company has also asked the court to instruct the housing department to reimburse it after it spent R474 253.84 to erect a razor-wire fence to prevent theft and to stop people walking across the railway line as a short cut.

ArcelorMittal has filed for the demolition of 28 houses, but The Star found 79 houses had been built near the railway.

The Star has also established that the Emfuleni Municipality was due to allocate the houses to the new owners this week.

The housing department gave Emfuleni Municipality's town planners permission to lay out the proposed township known as Tshepiso Extension 4 Township near Vanderbijlpark and Boipatong in the Vaal.

### What the mining company listed as dangers

- The coal transported in the railway carriages adjacent to the development is used by ArcelorMittal in the production of steel and is not fit for domestic use.
- The gas released from burning the coal is poisonous and will lead to fatalities if used in enclosed areas, as is likely to happen if the occupiers take coal for their own use.
- If the houses that encroach onto land alleged to be ArcelorMittal property are occupied, it will mean that families will stay less than 20m from the railway tracks. People, especially children playing in the area, will be at risk.

Urban Dynamics was given the tender to build the houses, of which some people had taken occupation.

In its court papers, ArcelorMittal gave a detailed account of how, since 2011, it had made several out-of-court attempts to stop the municipality from erecting the disputed houses.

The company argued that no solution was found at the last meeting to resolve the safety issues and the danger to the lives of people occupying the houses.

ArcelorMittal argued that if the houses were to be occupied, its tenants would be exposed to poisonous gases and possible death.

The company also argued that their railway line was on a high-speed line and, depending on the wind direction and the nature of the raw materials being transported, excessive dust might be generated and might "have negative effect on the living conditions of the habitants".

"The high-water table and clayey condition of the soil in the area may result in water being contaminated by the coal residue on the railway tracks, which will flow into the development when raining.

"The flow of water when raining will have an influence on the specifications of the fence to be erected on the southern boundary of the ArcelorMittal property.

"ArcelorMittal's input and recommendations were necessary before such specifications were finalised," Manjingolo said.

Emfuleni Municipality has already filed its intention to oppose the application and the matter is set down for trial on February 26.